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PTO/SB/21 (07-06)

Approved for use through 09/30/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/671,640
	Filing Date	09/26/2003
	First Named Inventor	GLENN, Bradley J.
	Art Unit	3733
	Examiner Name	PHILOGENE, Pedro
	Attorney Docket Number	3121.001
Total Number of Pages in This Submission		

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Return Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="text"/> Remarks	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application		
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Heisler & Associates	
Signature	<i>Bradley P. Heisler</i>	
Printed name	Bradley P. Heisler	
Date	6-1-07	Reg. No. 35,892

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature	<i>Carmen McCarty</i>	
Typed or printed name	Carmen McCarty	Date June 1, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/671,640
Applicant : GLENN, Bradley J.
Filed : 09/26/2003
TC/A.U. : 3733
Examiner : PHILOGENE, Pedro

Docket No. : 3121.001

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO WITHDRAW HOLDING OF
ABANDONMENT UNDER 37 CFR §1.181

Applicant respectfully requests that the above-identified application have the holding of abandonment thereof withdrawn. As explained in the included remarks, applicant never received the Office letter mailed on June 26, 2006.

REMARKS

The undersigned is the first and only correct attorney of record for the above-identified case, having been identified on the utility patent application transmittal (PTO/SB/05) with the filing of this application and being identified on the original declaration accompanying the prior application of which this application is a continuation. A copy of this declaration and a copy of the transmittal letter for this application are included herein as Exhibits A and B.

Three months after filing this application the undersigned received a notice regarding change of power of attorney identifying that the power of attorney for the

undersigned had been revoked. Coincidentally at about that same time the invention was being assigned from the original inventors, Dr. Bradley J. Glenn and Dr. Gary A. Schneiderman, to DePuy AcroMed, Inc. The undersigned logically assumed that the new owner, having a large in-house patent department and related legal resources, had taken over prosecution of the case.

In fact, a power of attorney document in a separate case (Application No. 10/670,640) was filed, and apparently was improperly entered as a change of power of attorney for this application. This power of attorney caused all further communications in this case to be sent to the law firm of Shemwell Gregory & Courtney LLP (now Shemwell Mahamedi LLP). Apparently staff at that law firm have been receiving correspondence in this case and have chosen to provide no notification to the undersigned, the assignee or any other parties, or to make known to the Patent Office this error.

Thereafter, in early December 2006 the undersigned was contacted by assignee representatives inquiring as to the status of this application. The undersigned then learned for the first time that the assignee had not taken over prosecution of this case. A status check was performed and it was determined that an outstanding Office action had been mailed on June 26, 2006, such that only about two weeks were left for response along with a three month extension of time.

The undersigned contacted the examiner and requested instructions on what to do in this situation. The undersigned was informed by the examiner that the best course would perhaps be to request correction of the power of attorney and request restarting of the period for response to the outstanding Office action. Such a filing was prepared and filed by facsimile on December 12, 2006 (see Exhibit C) and confirmation of this filing was received by auto-reply facsimile on December 12, 2006 (see Exhibit D).

The undersigned checked the status of this application approximately monthly to wait for the restarting of the period, the correction of the power of attorney and receipt

of the Office action. Earlier this month, the undersigned performed a status check and determined from the Patent Office web site that this application had received a notice of abandonment. This notice of abandonment was mailed to Shemwell Mahamedi LLP, so that the undersigned only learned of this notice of abandonment through its periodic status check efforts.

Accordingly, because neither the undersigned nor the assignee ever received the Office action mailed on June 26, 2006, applicant respectfully requests that this notice of abandonment be withdrawn. Applicant further requests that the power of attorney be corrected in this case and that the most recent Office action be mailed to the proper legal representative (the undersigned) and restart the period for response in this case. His address is:

Bradley P. Heisler
Heisler & Associates
3017 Douglas Blvd., Suite 300
Roseville, CA 95661

If further documents are required to process this withdrawal of this notice of abandonment, the change of power of attorney or the request for restarting the period for response in this case, please contact the undersigned to make an appropriate request for additional documentation.

Respectfully Submitted:



Bradley P. Heisler
Applicant's Attorney
Telephone (916) 781-6634
Registration No.: 35,892



Date



Please type a plus sign (+) inside this box → ☐

PTO/SB/01 (10-00)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63) <input checked="" type="checkbox"/> Declaration Submitted with Initial Filing OR <input type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)	Attorney Docket Number	0133.111
	First Named Inventor	GLENN, Bradley J.
	COMPLETE IF KNOWN	
	Application Number	/
	Filing Date	
	Group Art Unit	
	Examiner Name	

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**INTERVERTEBRAL SPACE IMPLANT FOR USE IN SPINAL
FUSION PROCEDURES**

(Title of the Invention)

the specification of which

☒ is attached hereto
OR
☐ was filed on (MM/DD/YYYY) [] as United States Application Number or PCT International
Application Number [] and was amended on (MM/DD/YYYY) [] (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)

☐ Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

EXHIBIT A

Please type a plus sign (+) inside this box: → ☐

PTO/SB/01 (10-00)
Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION — Utility or Design Patent Application

Direct all correspondence to: ☐ Customer Number or Bar Code Label OR ☒ Correspondence address below

Name Bradley P. Heisler

Address Heisler & Associates

Address 3017 Douglas Blvd., Suite 300

City Roseville

State CA

ZIP 95661

Country USA

Telephone (916) 781-6634

Fax (916) 645-7634

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name

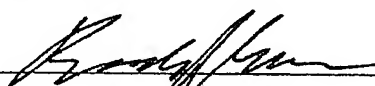
(first and middle [if any])

Bradley J.

Family Name
or Surname

Glenn

Inventor's
Signature



Date

3/14/2001

Residence: City

Davis

State

CA

Country USA

Citizenship USA

Mailing Address 3455 LaPlaya Drive

Mailing Address

City

Davis

State

CA

ZIP 95616

Country USA

NAME OF SECOND INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name

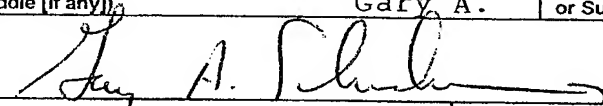
(first and middle [if any])

Gary A.

Family Name
or Surname

Schneiderman

Inventor's
Signature



Date

3/14/2001

Residence: City

Sacramento

State

CA

Country USA

Citizenship USA

Mailing Address 1810 Ladino Road

Mailing Address

City

Sacramento

State CA

ZIP 95864

Country USA

☐ Additional inventors are being named on the ____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.



PTO/SB/05 (08-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL (Only for new nonprovisional applications under 37 CFR 1.53(b))	Attorney Docket No.	3121.001
	First Inventor	SCHNEIDERMAN, Gary A.
	Title	
	Express Mail Label No.	ER456414724US

APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents.	ADDRESS TO: Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450
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<p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing)</p> <p>2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p>3. <input checked="" type="checkbox"/> Specification [Total Pages <u>30</u>] (preferred arrangement set forth below)</p> <ul style="list-style-type: none">- Descriptive title of the invention- Cross Reference to Related Applications- Statement Regarding Fed sponsored R & D- Reference to sequence listing, a table, or a computer program listing appendix- Background of the Invention- Brief Summary of the Invention- Brief Description of the Drawings (if filed)- Detailed Description- Claim(s)- Abstract of the Disclosure <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets <u>6</u>]</p> <p>5. Oath or Declaration [Total Sheets <u>2</u>]</p> <p>a. <input type="checkbox"/> Newly executed (original or copy)</p> <p>b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 18 completed)</p> <p>i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p>	<p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)</p> <p>8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)</p> <p>a. <input type="checkbox"/> Computer Readable Form (CRF)</p> <p>b. Specification Sequence Listing on:</p> <p>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or</p> <p>ii. <input type="checkbox"/> Paper</p> <p>c. <input type="checkbox"/> Statements verifying identity of above copies</p>
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ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement of Power of Attorney (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: transmittal letter including a cert. of Express Mailing under § 1.10

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/819,461

Prior application information:

Examiner PHILOGENE, PedroArt Unit: 3732

For CONTINUATION OF DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☐ Customer Number: OR ☒ Correspondence address below

Name	Bradley P. Heisler		
Address	Heisler & Associates 3017 Douglas Blvd., Suite 300		
City	Roseville	State	CA
Country	USA	Telephone	916-781-6634
		Fax	916-645-7634
Name (Print/Type)	Bradley P. Heisler	Registration No. (Attorney/Agent)	35,892
Signature		Date	7-26-03

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Applicant: GLENN, Bradley J.
Serial No.: 10/671,640
Filed: 09/26/2003
For: Intervertebral Space Implant for Use
in Spinal Fusion Procedures



Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Docket No.: 3121.001

TRANSMITTAL LETTER

Transmitted herewith and affixed hereto please find the following (5 total pages):

- A request to correct power of attorney and restart period for response to outstanding office action (including an Exhibit A).

Respectfully,



Bradley P. Heisler
Heisler & Associates
3017 Douglas Blvd., Suite 300
Roseville, CA 95661
(916) 781-6634
Reg. No. 35,892

12-12-06

Dated

CERTIFICATE OF TRANSMISSION -- MPEP 502.01

I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office (Fax No. (571) 273-8300) on
12-12-06

(date of transmission)

Carmen E. McCarty



Signature

December 12, 2006

Dated



UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/671,640
Applicant : GLENN, Bradley J.
Filed : 09/26/2003
TC/A.U. : 3733
Examiner : PHILOGENE, Pedro

Docket No. : 3121.001

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST TO CORRECT POWER OF ATTORNEY
AND RESTART PERIOD FOR RESPONSE TO
OUTSTANDING OFFICE ACTION

Applicant hereby respectfully requests correction of power of attorney in the above-identified case. On January 14, 2004 a revocation and power of attorney document was submitted by Shemwell Gregory & Courtney LLP with regard to Serial No. 10/670,640 (a copy of which is attached as Exhibit A). That serial number is for a different case than for the above-identified case. Note that these serial numbers are almost the same. Apparently, Patent Office personnel inadvertently entered this revocation and power of attorney document in this case, causing power of attorney for the undersigned to be revoked in this case. This error also caused correspondence relating to this case to be directed to the submitter of the other power of attorney.

Because the change of power of attorney in this case should never have occurred, applicant respectfully requests that power of attorney be restored to the firm originally holding power of attorney in this case, as follows:

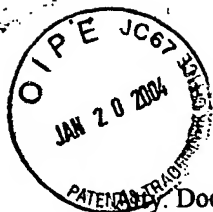
Bradley P. Heisler
Heisler & Associates
3017 Douglas Blvd., Suite 300
Roseville, CA 95661

Furthermore, applicant notes that a first substantive Office action was mailed in this case on June 26, 2006. Applicant became aware of this error and the existence of this first substantive Office action on December 7, 2006. Applicant respectfully requests that the period for response to this first substantive Office action be restarted so that applicant will have time to evaluate the best course of action. Should the examiner or other office personnel have questions regarding this request, applicant requests that such office personnel contact the undersigned, preferably by telephone.

Respectfully Submitted:

Bradley P. Heisler
Applicant's Attorney
Telephone (916) 781-6634
Registration No.: 35,892

Date



Docket No.: DYNG.P001

PATENT

IN THE UNITED STATES PATENT OFFICE



Re Patent Application of:

David Kitson

Application No.: 10/670,640

Filed: September 24, 2003

For: ORTHOPAEDIC SURGERY PLANNING

)
) Examiner: Not Yet Assigned
)
) Art Unit: Not Yet Assigned
)
)
)
)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Power of Attorney by Assignee and Certification
Under 37 CFR §3.73(b)

Commissioner for Patents
Washington, D.C. 20231

Sir:

I, the undersigned, acting on behalf of the Assignee of the entire right, title and interest in the above-referenced patent applications, hereby revoke all prior powers of attorney for said applications and appoint the practitioners at Customer Number 30554, the Customer Number of Shemwell Gregory & Courtney LLP, as my/our attorney(s) or agent(s) to prosecute said applications, and to transact all business in the United States Patent and Trademark Office connected therewith. This appointment is to the exclusion of the inventor(s) and their attorney(s) and agent(s) in accordance with the provisions of 37 CFR 3.71.

Effective immediately, please direct all further communications in the above-identified patent application to the following address:

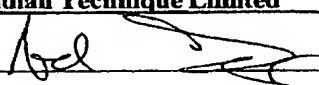
Shemwell Gregory & Courtney LLP
4880 Stevens Creek Blvd., Ste. 201
San Jose, CA 95129

Telephone: (408) 236-6640
Facsimile: (408) 236-6641
Customer No. 30554

In accordance with 37 CFR 3.73(b), I hereby certify that I am empowered to act on behalf of the Assignee. To the best of my knowledge and belief, title is in the Assignee, as evidenced by the duly executed assignment document enclosed herewith.

I further declare that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, USC §1001 and that such willful false statements may jeopardize the validity of the this application or any patent resulting therefrom.

ASSIGNEE: Meridian Technique Limited

Signature: 

Typed Name: Adrian Dwyer

Title: Director

Date: 5 Nov 2003.

Address: 2 Venture Park, Chilworth Science Park
Southampton, SO16 7NP
United Kingdom

TO: Auto-reply fax to 9166457634 COMPANY:

Auto-Reply Facsimile Transmission



TO:

Fax Sender at 9166457634

Fax Information

Date Received:

12/12/2006 7:24:39 PM [Eastern Standard Time]

Total Pages:

5 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
Cover
Page

=====>

12/12/2006 17:23 9166457634

HEISLER AND ASSOC

PAGE 01/05

Applicant: GLENN, Bradley J.
Serial No.: 10/671,640
Filed: 09/26/2003
For: Intervertebral Space Implant for Use
in Spinal Fusion Procedures

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Docket No.: 3121.001

TRANSMITTAL LETTER

Transmitted herewith and affixed hereto please find the following (5 total pages):

- A request to correct power of attorney and restart period for response to outstanding office action (including an Exhibit A).

Respectfully,


Bradley P. Heisler
Heisler & Associates
3017 Douglas Blvd., Suite 300
Roseville, CA 95661
(916) 781-6634
Reg. No. 35,892

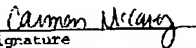
12-12-06
Dated

CERTIFICATE OF TRANSMISSION -- MPEP 502.01

I hereby certify that this correspondence is being
transmitted by facsimile to the United States Patent and
Trademark Office (Fax No. (571) 273-8300) on

12-12-06
(date of transmission)

Carmen E. McCarty


Signature

December 12, 2006
Dated

PAGE 05 * RCVD AT 12/12/2006 7:24:39 PM [Eastern Standard Time] * FAX:USPTO-EFAX-29 * DMS:2738300 * CSID:9166457634 * DURATION (mm-ss):01-48